

PATENT
Docket No.: 12218/53

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Noriko OGAWA et al.
Serial No. : 10/527,829
Filed : March 14, 2005
For : METHOD OF COAGULATING POLY-3-
HYDROXYALKANOIC ACID
Group Art Unit : Unassigned
Examiner : Unassigned

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

SIR:

In response to the Notification of Missing Requirements mailed November 3, 2005, submitted herewith are a Declaration/Power of Attorney duly signed by the inventors, and a copy of the Notification of Missing Requirements.

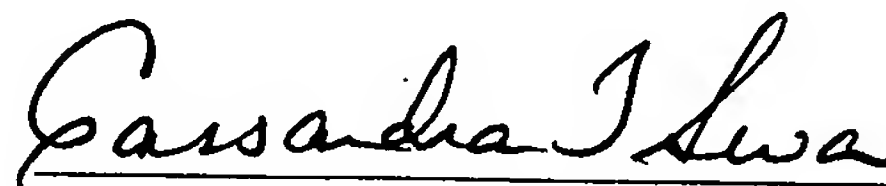
The authorization to charge the \$130.00 fee for the Declaration/ Power of Attorney to Deposit Account No. 11-0600 has been provided in an attached transmittal letter. The Office is authorized to charge any additional fees or credit any overpayment to the Deposit Account.

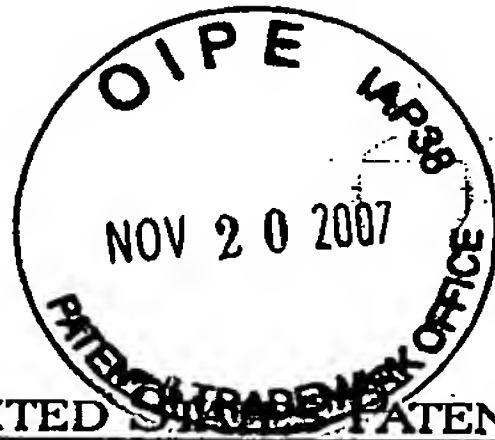
Respectfully submitted,

KENYON & KENYON

Date: November 15, 2005

Kenyon & Kenyon
1500 K Street, NW, Suite 700
Washington, DC 20005
(202) 220-4200


Cassandra T. Swain, Ph.D.
Reg. No. 48,361



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

7CT
 P42036 USW

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,829	Noriko Ogawa	12218/53

INTERNATIONAL APPLICATION NO.

PCT/JP03/12485

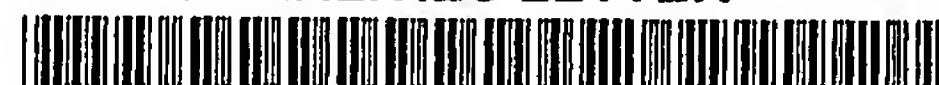
I.A. FILING DATE	PRIORITY DATE
09/30/2003	09/30/2002

23838

KENYON & KENYON
 1500 K STREET NW
 SUITE 700
 WASHINGTON, DC 20005

CONFIRMATION NO. 4581

371 FORMALITIES LETTER



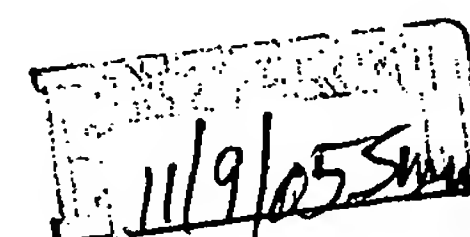
OC000000017378513

Date Mailed: 11/03/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/14/2005
- English Translation of the IA filed on 03/14/2005
- Copy of the International Search Report filed on 03/14/2005
- Preliminary Amendments filed on 03/14/2005
- Information Disclosure Statements filed on 06/14/2005
- Request for Immediate Examination filed on 03/14/2005
- U.S. Basic National Fees filed on 03/14/2005
- Priority Documents filed on 03/14/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*


INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,829	PCT/JP03/12485	12218/53

FORM PCT/DO/EO/905 (371 Formalities Notice)



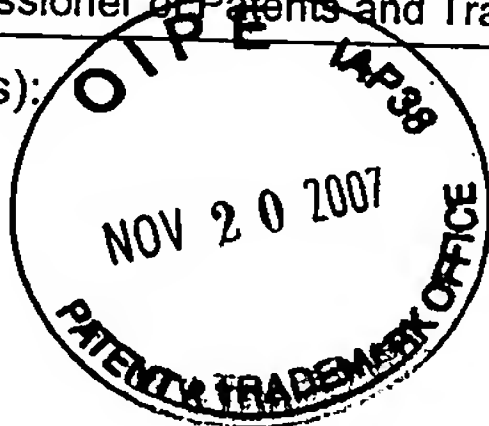
PATENTS ONLY

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Noriko OGAWA
Kenji MIYAMOTO
Fumio OSAKADA
Keiji MATSUMOTO



Additional name of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Dates: June 7, 2005

2. Name and address of receiving party(ies)

Name: KANEKA CORPORATION

Street Address: 2-4, Nakanoshima 3-chome,
Kita-ku, Osaka-shi

Osaka 530-8288, JAPAN

Additional Name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

10/527,829

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Cassandra T. Swain, Ph.D.
KENYON & KENYON
Suite 700
1500 K Street, NW
Washington, D.C. 20005

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

11-0600

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cassandra T. Swain, Ph.D. (Reg. No. 48,361)

Name of Person Signing

Cassandra Swain
Signature

November 15, 2005
Date

Total number of pages including cover sheet, attachments, and documents: 4

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231 (DC503436v1)

ASSIGNMENT

WHEREAS, we,

Noriko OGAWA
Kobe-shi, Hyogo 655-0872, Japan
Citizenship: Japan

Kenji MIYAMOTO
Yokohama-shi, Kanagawa 223-0062, Japan
Citizenship: Japan

Fumio OSAKADA
Okayama-shi, Okayama 700-0063, Japan
Citizenship: Japan

Keiji MATSUMOTO
Nishinomiya-shi, Hyogo 663-8023, Japan
Citizenship: Japan

have made new and useful improvements in **METHOD OF COAGULATING POLY-3-HYDROXYALKANOIC ACID**, for which we have made application for Letters Patent in the United States, said application having been filed on 14 March 2005, Serial Number _____; and

WHEREAS, **KANEKA CORPORATION** having its principal place of business at **2-4, Nakanoshima 3-chome, Kita-ku, Osaka-shi, Osaka 530-8288 JAPAN**, (hereinafter "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to said application and the invention therein described and claimed, and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration for One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to any inventions and discoveries described in said application, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in any and all countries, including all divisional, renewal, reissue, re-examination, substitute, continuation, international, foreign and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent.

2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under an International Convention or otherwise.

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as Assignee of the entire right, title, and interest therein or otherwise as Assignee may direct.

4. Warrant that we have not conveyed to others any right, title, or interest in said inventions, discoveries, applications, or patents or any license to use the same or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; that we have good right to assign the same to Assignee without encumbrance; and that we are ware of no claim to the contrary.

5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; to furnish Assignee with any and all documents, photographs, models, samples, and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries; and to testify to the same in any interference, arbitration, or litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th
day of June, 2005.


Noriko OGAWA

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th
day of June, 2005.

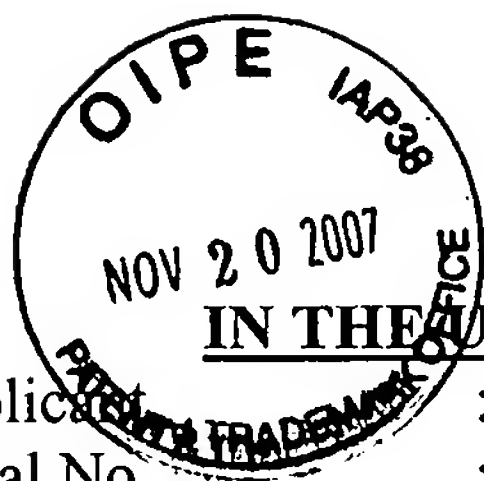

Kenji MIYAMOTO

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th
day of June, 2005.

Fumio OSAKADA
Fumio OSAKADA

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 7th
day of June, 2005.

Keiji MATSUMOTO
Keiji MATSUMOTO



Docket No.: 12218/53

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Noriko OGAWA et al.
Serial No. : 10/527,829
Filed : March 14, 2005
For : METHOD OF COAGULATING POLY-3-
HYDROXYALKANOIC ACID
Group Art Unit : Unassigned
Examiner : Unassigned

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)


SIR:

In response to the Notice of Abandonment mailed November 15, 2007, Applicants submit this Petition to Withdraw Holding of Abandonment. This application was abandoned for allegedly failing to reply to the Notice of Missing Requirements mailed November 3, 2005. However, a response to the Notice of Missing Parts was filed on November 15, 2005, which included a signed Declaration/Power of Attorney, an Assignment, and an authorization to charge the fee of \$130 and any additional fees to the Deposit Account. A postcard receipt is stamped as being received by the U.S. Patent and Trademark Office on November 15, 2005.

Attached herewith is a copy of the response and accompanying documents as filed on November 15, 2005, together with a copy of the stamped postcard receipt. No fees are believed to be required for the filing of this petition, in accordance with MPEP 711.03(c)(I). In the event that an extension of time or any additional fees are required in connection with the filing of this petition, such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is authorized to charge any such required fees or to credit any overpayment to Kenyon & Kenyon's Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP


Jocelyn D. Ram
Reg. No. 54,898

Dated: November 20, 2007

1500 K Street, N.W.
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,829	Noriko Ogawa	12218/53

23838
KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

INTERNATIONAL APPLICATION NO.

PCT/JP03/12485

I.A. FILING DATE

09/30/2003

PRIORITY DATE

09/30/2002

CONFIRMATION NO. 4581
371 ABANDONMENT/TERMINATION
LETTER



Date Mailed: 11/15/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 11/03/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of

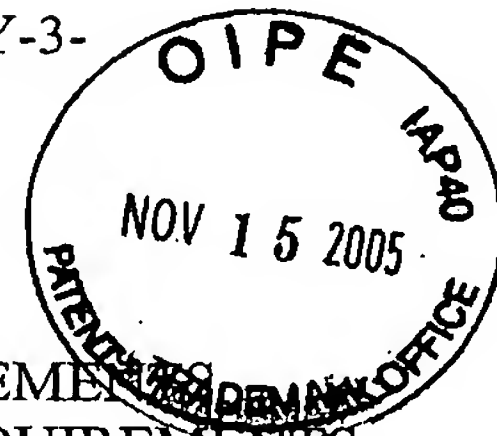
Application No.: 10/527,829

Inventor(s) : Noriko OGAWA et al.

Filed : March 14, 2005

For METHOD OF COAGULATING POLY-3-HYDROXYALKANOIC ACID

Art Unit : Unassigned



Enclosed:

1. COPY OF NOTIFICATION OF MISSING REQUIREMENTS
2. RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
3. COPY OF DECLARATION AND POWER OF ATTORNEY
4. RECORDATION FORM COVER SHEET
5. COPY OF ASSIGNMENT
6. FEE TRANSMITTAL(in duplicate)

CTS/paa

12218/53

11/15/05

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual adjustment.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	10/527,829
Filing Date	March 14, 2005
First Named Inventor	Noriko OGAWA et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	12218/53

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 11-0600

Deposit Account Name Kenyon & Kenyon

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20 ** = X 18 =

Independent Claims -3 ** = X 88 =

Multiple Dependent X = 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	2225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	225	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130.00)

SUBMITTED BY

Name (Print/Type)	Cassandra T. Swain, Ph.D.	Registration No. (Attorney/Agent)	48,361	Telephone	202.220.4200
Signature	Cassandra T. Swain			Date	November 15, 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.